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SUBJECT: AG GONZALES'S MEETING WITH INTERIOR MINISTER FERNANDEZ

11. (SBU) SUMMARY: Attorney General Alberto Gonzales ("AG"), several senior-level Department of Justice officials, and the Ambassador met with Argentine Minister of the Interior Anibal Fernandez on February 7. The Minister expressed Argentine concerns over what he characterized as the USG's unilateral determination that the Geneva Convention is obsolete and the parallel decision to permit the use of torture. The AG responded that engaging in torture is not USG policy and clarified the USG position regarding certain provisions of the Geneva Convention. He also explained that whenever there have been allegations of torture, the USG has investigated, and where appropriate, punished those responsible. In response to the Minister's concerns over an Argentine national on death row in Texas, the AG stated that he would pass on those concerns to Texan authorities. The meeting also included a candid exchange of ideas on information sharing among law enforcement agencies, on Argentina's presentation of the AMIA terrorism case, of the growing problem of narcotrafficking in Argentina, of Argentina's effort to collect unregulated guns, and about the proposed new Argentine national ID initiative. END SUMMARY.

#### THE GENEVA CONVENTION AND TORTURE

12. (SBU) Attorney General Gonzales, Assistant AG-Criminal Division Alice Fisher, Deputy AG-Criminal Division Bruce Swartz, the Ambassador and Embassy notetaker Burke met February 7 with Interior Minister Fernandez. The Minister stated that he was going to speak candidly as is possible among partners and expressed GOA concerns over the USG's unilateral determination that the Geneva Convention is obsolete. In addition, the Minister raised GOA objections to the USG parallel decision to permit torture of detainees. The AG stressed that he and the President abhor torture. Engaging in torture is not USG policy and is prohibited by both USG domestic and international legal obligations. When there have been allegations of torture, the USG investigated the allegations and punished the perpetrators, when appropriate. The AG also explained the context of the memo he drafted for President Bush wherein he referred to certain provisions in the Geneva Convention as "quaint". He noted that a recent British study similarly concluded that certain provisions of the Geneva Convention are out of date based on the realities of modern warfare.

VICTOR SOLDANO: ARGENTINE CITIZEN ON DEATH ROW IN TEXAS

13. (SBU) The Minister then raised GOA concerns over the case of Argentine national Victor Soldano, who is currently on death row in Texas and is reportedly now insane. He said he hoped Soldano's sentence could be commuted to life in prison. The AG explained that the case would need to run its course through the Texas state court system. Although the federal government has no authority to interfere in the case, the AG assured the Minister that he would pass on the GOA's strong interest in the case to Texas authorities.

#### INFORMATION SHARING AMONGST LAW ENFORCEMENT AGENCIES

14. (SBU). The AG and Minister discussed the respective experiences of the United States and Argentina in enacting legislation designed to promote information sharing among law enforcement agencies. The AG referred to the creation of the Department of Homeland Security and the challenges the USG has faced in having separate law enforcement agencies sharing information. The Minister explained that Argentina has had similar problems. The Minister emphasized that in response to this situation he is seeking to centralize in his office authority for all political decisions related to law enforcement, while not interfering with the day-to-day tactics of law enforcement officials. He used this point to underline his standing request that all communications between USG law enforcement agencies and GOA law enforcement officials be coordinated through his office.

#### FERNANDEZ: IRAN'S AMIA REACTION "TRIVIAL AND UNGROUNDED"

15. (SBU) The Minister gave the AG an overview of the background of the AMIA case and expressed the GOA's appreciation for USG assistance in preparing the case. The Minister acknowledged embarrassment at the length of time it has taken to pursue the case and in the incompetence of previous administrations in handling the matter, but expressed confidence that Argentina is now prepared to make a strong presentation at Interpol based on evidence and not political calculations. The Minister characterized the Iranian response thus far as "trivial and ungrounded" and added that Iran "cannot avoid reality" by threatening the Argentine prosecutors investigating the case.

#### FERNANDEZ: NARCOTRAFFICKING AN "EMERGING THREAT"

16. (SBU) Turning to a discussion on narcotrafficking, the Minister noted that drugs, and in particular "paco" (a residue of the cocaine manufacturing process) is an "emerging threat" in Argentina. Paco abuse is becoming common, particularly in poor areas, and rival gangs are causing significant law enforcement concerns as they compete for the paco distribution business. The GOA has focused its counternarcotic efforts on going after paco producers. GOA measures to combat paco production include the use of U.S. scanners that will help identify where paco is being produced. The GOA is also seeking to pass legislation that will create a centralized database to monitor criminal investigations that should facilitate drug investigations.

17. (SBU) The Minister also indicated that Argentina is being used as a transit point for narcotics being shipped to other countries, particularly Spain. To combat this problem, the Interior Ministry has now assumed jurisdiction over airport security, and the GOA has signed an agreement with Spain to ensure that Argentine authorities have real-time access to Spanish drug-related criminal investigations.

#### GUNS: MANY OWN, FEW REGISTER

18. (SBU) The AG related the he had heard that many people in Argentina own weapons. The Minister stated that this was true and that in his view there is no problem with people owning guns, so long as the guns are registered. The problem is that few people comply with the licensing and registration laws. He stated that the GOA is addressing this problem by enforcing registration laws, offering a gun buyback program, and working with Microsoft to develop a database that will track the movement of guns.

#### LIKELY DELAY ON NATIONAL ID INITIATIVE DUE TO 2007 ELECTIONS

¶9. (SBU) The GOA is preparing to introduce a new national identity card that uses advanced biometrics that would include prints of all ten fingers. This card will be essential for obtaining any other type of official form of identification including a passport or drivers license. The Minister expressed enthusiasm that the new cards will be useful for law enforcement purposes and will also facilitate information sharing among law enforcement officials. Although the new identity cards are ready to be introduced now, the GOA will not introduce the initiative this year because it is an election year. When the AG noted that a portion of the society in the United States would be opposed to a national identity card, the Minister said that he faced no such public concern in Argentina.

#### INVITATION TO WASHINGTON

¶10. (SBU) At the conclusion of the meeting, the AG invited the Minister to meet with him in Washington, to meet senior officials at the FBI, and to observe how joint federal-state task forces work together. The AG said that he would also like to extend the invitations to the heads of the law enforcement agencies who worked for the Minister. The Minister expressed that he would be delighted to have the opportunity to visit in the future to further discuss these matters.

¶11. (U) The Attorney General has not cleared on the language of this cable.

WAYNE